

SENTENCING ORDER

ELECTRONICALLY FILED

Benton County Circuit Court
Brenda DeShields, Circuit Clerk
2023-Mar-20 13:03:18
04CR-22-621
C19WD02 : 3 Pages

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS,
19W JUDICIAL DISTRICT II DIVISION

On February 27, 2023 the Defendant appeared before the Court, was advised of the nature of the charge(s), of Constitutional and legal rights, of the effect of a guilty plea upon those rights, and of the right to make a statement before sentencing.

Offender	Defendant [Last, First, MI] <u>CARROLL, SHYLA S</u>		DOB <u>08/15/1991</u>	Sex <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	Total Number of Counts <u>3</u>
	SID # <u>4 2 2 6 1 5 4</u>		Race & Ethnicity <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Unknown <input type="checkbox"/> Other <input type="checkbox"/> Hispanic		
Court Info	Supervision Status at Time of Offense				
	Judge <u>BRAD KARREN</u>			File Stamp	
	Prosecuting Attorney/Deputy <u>SAMUEL M. WARREN</u>				
	Defendant's Attorney <u>CHRIS CARWILE</u> <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public Defender <input type="checkbox"/> Pro Se <input type="checkbox"/> Appointed				
Legal Statement	Change of Venue <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, from:				
	<input type="checkbox"/> Pursuant to A.C.A. §§16-93-301 et seq., or <input type="checkbox"/> §§ this Court, without making a finding of guilt or entering a judgment of guilt and with the consent of the Defendant defers further proceedings and places the Defendant on probation.				
	There being no legal cause shown by the Defendant, as requested, why judgment should not be pronounced, a judgment: is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. Defendant was advised of the conditions of the sentence and/or placement on probation and understands the consequences of violating those conditions. The Court retains jurisdiction during the period of probation/suspension and may change or set aside the conditions of probation/suspension for violations or failure to satisfy Arkansas Division of Community Correction (A.C.C.) rules and regulations.				
	<input type="checkbox"/> of conviction is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. The Defendant is sentenced to the Arkansas Division of Correction (A.D.C.) for the term specified on each offense shown below.				
	Defendant made a voluntary, knowing, and intelligent waiver of the right to counsel. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
	A.C.A. # of Offense/ Name of Offense+ <u>5-3-201/5-64-420(a)(b)(3) - ACCOMPLICE TO POSSESSION OF METHAM</u>			Case # <u>04CR-22-621</u>	
	A.C.A. # of Original Charged Offense <u>5-64-420(a)(b)(3)</u>			ATN <u>BTN006624372</u>	
				Offense was <input type="checkbox"/> Nolle Prossed <input type="checkbox"/> Dismissed <input type="checkbox"/> Acquitted	
				Appeal from District Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				Probation/SIS Revocation+ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Offense #1	Offense Date <u>03/26/2022</u>		Offense is <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misd. <input type="checkbox"/> Viol.		Offense Classification <input type="checkbox"/> Y <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> U
	Number of Counts: <u>1</u>	Criminal History Score <u>2</u>	Seriousness Level <u>7</u>	Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited <input type="checkbox"/> Conspired to commit the offense	
	Presumptive Sentence <input checked="" type="checkbox"/> Prison Sentence of <u>84</u> to <u>180</u> months <input checked="" type="checkbox"/> Community Corrections Center <input type="checkbox"/> Alternative Sanction				
	Defendant Sentence* (see Page 2)				
	Imposed <input type="checkbox"/> ADC <input type="checkbox"/> Jud. Tran. <input type="checkbox"/> County Jail		If probation or SIS accompanied by period of confinement, state time: <u>120</u> days or _____ months.		
	_____ months		Sentence was enhanced _____ months, pursuant to		
	Probation <u>120</u> months		A.C.A. §§ _____		
	SIS _____ months		Enhancement(s) is to run: <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive.		
	Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death		Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d)		
	Victim Info# (See page 2) <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No		Age _____	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic
Defendant voluntarily, intelligently, and knowingly entered a <input checked="" type="checkbox"/> negotiated plea of <input checked="" type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere. <input type="checkbox"/> plea directly to the court of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere.					
Defendant: <input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> §§16-93-301 et seq., or <input type="checkbox"/> other §§ _____ <input type="checkbox"/> entered a plea and was sentenced by a jury. <input checked="" type="checkbox"/> was found guilty by the court & sentenced by <input checked="" type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty of lesser included offense by <input type="checkbox"/> court <input type="checkbox"/> jury.					
Sentence is a Departure <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Sentence Departure is <input checked="" type="checkbox"/> Durational or <input type="checkbox"/> Dispositional. If durational, state how many months above/below the presumptive sentence:			
Departure Reason (See page 2 for a list of reasons)					
Aggravating # _____ or Mitigating # <u>9</u> For Agg. #17 or Mit. #9,			Sentence will run: <input type="checkbox"/> Consecutive <input checked="" type="checkbox"/> Concurrent		
or if departing from guidelines, please explain: _____			to Offense # <u>ALL</u> or _____		
Defendant agrees to testify truthfully in Case No. 2022-653-2			Case # _____		

Defendant's Full Name: CARROLL, SHYLA S

Offense #: 2	A.C.A. # of Offense/ Name of Offense+ <u>5-73-103(a)(1)(2) - POSSESSION OF FIREARMS BY CERTAIN PERSON</u>		Case # <u>04CR-22-621</u>	
	A.C.A. # of Original Charged Offense <u>5-73-103(a)(1)(2)</u>		ATN <u>BTN006624372</u>	Offense was <input type="checkbox"/> Nolle Prossed <input type="checkbox"/> Dismissed <input type="checkbox"/> Acquitted
			Appeal from District Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Probation/SIS Revocation+ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Offense Date <u>03/26/2022</u>	Offense is <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misd. <input type="checkbox"/> Viol.	Offense Classification <input type="checkbox"/> Y <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D <input type="checkbox"/> U	
	Number of Counts: <u>1</u>	Criminal History Score <u>2</u>	Seriousness Level <u>2</u>	Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited
	<input type="checkbox"/> Conspired to commit the offense			
	Presumptive Sentence <input type="checkbox"/> Prison Sentence of ____ to ____ months <input checked="" type="checkbox"/> Community Corrections Center <input checked="" type="checkbox"/> Alternative Sanction			
	Defendant Sentence* (see Page 2) Imposed <input type="checkbox"/> ADC <input type="checkbox"/> Jud. Tran. <input type="checkbox"/> County Jail		If probation or SIS accompanied by period of confinement, state time: <u>120</u> days or ____ months.	
	____ months		Sentence was enhanced ____ months, pursuant to	
	Probation <u>120</u> months		A.C.A. §§ ____	
SIS ____ months		Enhancement(s) is to run: <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive.		
Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death		Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection		
Victim Info# (See page 2) <input checked="" type="checkbox"/> N/A		<input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d)		
Age ____		Sex <input type="checkbox"/> Male <input type="checkbox"/> Female		
Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American		<input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic		
Defendant voluntarily, intelligently, and knowingly entered a		Defendant:		
<input checked="" type="checkbox"/> negotiated plea of <input checked="" type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere.		<input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> §§16-93-301 et seq., or <input type="checkbox"/> other §§ ____		
<input type="checkbox"/> plea directly to the court of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere.		<input type="checkbox"/> entered a plea and was sentenced by a jury.		
		<input checked="" type="checkbox"/> was found guilty by the court & sentenced by <input checked="" type="checkbox"/> court <input type="checkbox"/> jury.		
		<input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury.		
		<input type="checkbox"/> was found guilty of lesser included offense by <input type="checkbox"/> court <input type="checkbox"/> jury.		
Sentence is a Departure <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Sentence Departure is <input type="checkbox"/> Durational or <input type="checkbox"/> Dispositional.		
		If durational, state how many months above/below the presumptive sentence:		
Departure Reason (See page 2 for a list of reasons)		Sentence will run: <input type="checkbox"/> Consecutive		
Aggravating # ____ or Mitigating # ____ For Agg. #17 or Mit. #9,		Concurrent <input checked="" type="checkbox"/>		
or if departing from guidelines, please explain: ____		to Offense # <u>ALL</u> or		
		Case # ____		

Offense #: 3	A.C.A. # of Offense/ Name of Offense+ <u>5-64-436(a)(b)(1) - POSSESSION OF A SCHEDULE VI CONTROLLED</u>		Case # <u>04CR-22-621</u>	
	A.C.A. # of Original Charged Offense <u>5-64-436(a)(b)(1)</u>		ATN <u>BTN006624372</u>	Offense was <input type="checkbox"/> Nolle Prossed <input type="checkbox"/> Dismissed <input type="checkbox"/> Acquitted
			Appeal from District Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Probation/SIS Revocation+ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Offense Date <u>03/26/2022</u>	Offense is <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misd. <input type="checkbox"/> Viol.	Offense Classification <input type="checkbox"/> Y <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> U	
	Number of Counts: <u>1</u>	Criminal History Score <u>2</u>	Seriousness Level <u>3</u>	Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited
	<input type="checkbox"/> Conspired to commit the offense			
	Presumptive Sentence <input type="checkbox"/> Prison Sentence of ____ to ____ months <input type="checkbox"/> Community Corrections Center <input checked="" type="checkbox"/> Alternative Sanction			
	Defendant Sentence* (see Page 2) Imposed <input type="checkbox"/> ADC <input type="checkbox"/> Jud. Tran. <input type="checkbox"/> County Jail		If probation or SIS accompanied by period of confinement, state time: <u>120</u> days or ____ months.	
	____ months		Sentence was enhanced ____ months, pursuant to	
	Probation <u>120</u> months		A.C.A. §§ ____	
SIS ____ months		Enhancement(s) is to run: <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive.		
Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death		Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection		
Victim Info# (See page 2) <input type="checkbox"/> N/A		<input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d)		
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Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American		<input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic		
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		<input checked="" type="checkbox"/> was found guilty by the court & sentenced by <input checked="" type="checkbox"/> court <input type="checkbox"/> jury.		
		<input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury.		
		<input type="checkbox"/> was found guilty of lesser included offense by <input type="checkbox"/> court <input type="checkbox"/> jury.		
Sentence is a Departure <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Sentence Departure is <input type="checkbox"/> Durational or <input type="checkbox"/> Dispositional.		
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Aggravating # ____ or Mitigating # ____ For Agg. #17 or Mit. #9,		Concurrent <input checked="" type="checkbox"/>		
or if departing from guidelines, please explain: ____		to Offense # <u>ALL</u> or		
		Case # ____		

Defendant's Full Name: CARROLL, SHYLA S

Special Conditions	Sex Offenses		Domestic Violence Offenses																																								
	Defendant has been adjudicated guilty of an offense requiring sex offender registration and must complete the Sex Offender Registration Form and pay the Mandatory Sex Offender Fee of \$250. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Defendant has committed an aggravated sex offense as defined in A.C.A. §12-12-903. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Defendant has been adjudicated guilty of a domestic-violence related offense and must pay additional court costs of \$25 pursuant to §16-10-305. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Defendant was originally charged with a domestic-violence related offense. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, state the A.C.A. # of the offense: _____																																								
	Defendant is alleged to be a sexually dangerous person and is ordered to undergo an evaluation at a facility designated by A.D.C. pursuant to A.C.A. §12-12-918. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes to either question, identify the relationship of the victim to the Defendant by offense number. _____																																								
	Defendant, who has been adjudicated guilty of an offense requiring registration, has been adjudicated guilty of a prior sex offense under a separate case number. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list prior case numbers: _____																																										
Fines, Fees, Restitution	DNA Sample/Qualifying Offense		Drug Crime																																								
	Defendant has been adjudicated guilty of a qualifying offense or repeat offense (as defined in A.C.A. §12-12-1103). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Defendant is ordered to have a DNA sample drawn at <input type="checkbox"/> A.C.C. facility <input type="checkbox"/> the A.D.C. or <input checked="" type="checkbox"/> other <u>ON FILE</u>		Defendant has been convicted of a drug crime, as defined in §12-17-101. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																																								
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:30%;">Court Costs</td><td style="width:30%;">\$ 150</td></tr> <tr><td>Fines</td><td>\$ 1,000</td></tr> <tr><td>Booking/Admin Fees (\$40)</td><td>\$ 40</td></tr> <tr><td>Drug Crime Assessment Fee (\$125)</td><td>\$ 125</td></tr> <tr><td>DNA Sample Fee (\$250)</td><td>\$</td></tr> <tr><td>Children's Advocacy Center Fund Fee</td><td>\$</td></tr> <tr><td>Public Defender User Fee</td><td>\$ 500</td></tr> <tr><td>Public Defender Attorney Fee</td><td>\$</td></tr> <tr><td>Other (explain) PA Drug Fund</td><td>\$ 125</td></tr> </table>	Court Costs	\$ 150	Fines	\$ 1,000	Booking/Admin Fees (\$40)	\$ 40	Drug Crime Assessment Fee (\$125)	\$ 125	DNA Sample Fee (\$250)	\$	Children's Advocacy Center Fund Fee	\$	Public Defender User Fee	\$ 500	Public Defender Attorney Fee	\$	Other (explain) PA Drug Fund	\$ 125	Restitution \$ _____ Payable to [If multiple beneficiaries, give names and payment priority] _____ Terms <input type="checkbox"/> Due Immediately <input checked="" type="checkbox"/> Installments of: \$50 + \$5 per month beginning 120 days after release <input type="checkbox"/> Payments must be made within _____ days of release from A.D.C. <input type="checkbox"/> Upon release from confinement, Defendant must return to court to establish payment of restitution <input type="checkbox"/> Restitution is joint and several with co-defendant(s) who was found guilty - List name(s) and case number(s) _____																							
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Transfer <input type="checkbox"/> CCC <input type="checkbox"/> COUNTY JAIL <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> SIS NOT Authorized </td> </tr> <tr> <td colspan="3"> Conditions of disposition or probation are attached. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </td> </tr> <tr> <td colspan="3"> A copy of the pre-sentence investigation on sentencing information is attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Defendant is subject to delayed release pursuant to A.C.A. § 5-4-405. </td> </tr> <tr> <td colspan="3"> A copy of the Prosecutor's Short Report is attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </td> </tr> <tr> <td colspan="3"> DEFENDANT WAS INFORMED OF APPELLATE RIGHTS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Appeal Bond \$ _____ </td> </tr> <tr> <td colspan="3"> The County Sheriff is hereby ordered to: <input type="checkbox"/> transport the defendant to county jail <input type="checkbox"/> take custody for referral to CCC <input type="checkbox"/> transport to ADC </td> </tr> <tr> <td colspan="3"> Defendant shall report to ACC probation officer for report date to CCC <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </td> </tr> <tr> <td colspan="3"> Prosecuting Attorney/Deputy (Print Name): <u>Samuel M. Warren</u> Signature: _____ Date: <u>03-07-2023</u> </td> </tr> <tr> <td colspan="3"> Circuit Judge (Print Name): <u>Brad Warren</u> Signature: _____ Date: <u>3-10-23</u> </td> </tr> <tr> <td colspan="3"> Additional Info: All payments due on the first of each month. Defendant is to evaluate at Ozark Guidance Center within 30 days of release and comply with recommended treatment within 180 days from the date of release. </td> </tr> <tr> <td colspan="3"> Defendant agrees to testify truthfully in Case No. 2022-653-2, should the State request her testimony. </td> </tr> </table>					Defendant was convicted of a target offense(s) and is sentenced pursuant to provisions of the Community Punishment Act. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No The Court hereby orders a judicial transfer to the AR Division of Community Correction. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Pursuant to the Community Punishment Act, the Defendant shall be eligible to have his/her records sealed. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Extended Juvenile Jurisdiction Applied <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	JAIL TIME CREDIT 328 Days	TOTAL TIME TO BE SERVED FOR ALL OFFENSES In months: _____ <input type="checkbox"/> Life <input type="checkbox"/> LWOP	Death Penalty <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DEFENDANT IS ASSIGNED TO: <input type="checkbox"/> ADC <input type="checkbox"/> ADC, Admin. 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